

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN RE:

CITY OF DETROIT

Debtor /

CASE NO: 13-53846

CHAPTER: 9

HON. STEVEN RHODES

REQUEST FOR ORAL ARGUMENT

MOTION FOR REVOCATION OF AUTOMATIC STAY

CLAIMANT: DARRELL LAMAR MARSHALL
20001 SCHAEFER HWY.
DETROIT, MI. 48235
Ph. (313) 740-2416

FILED
2013 DEC -2 P 3:46
U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

Now comes, claimant Darrell L. Marshall and motion the Bankruptcy court to revoke the automatic stay of proceedings in the City of Detroit bankruptcy case as it relates to the Civil Rights Complaint Darrell Lamar Marshall VS. City of Detroit and Wayne County Case no. 00-CV-74576 United States District Judge, George Caram Steeh, and appeals court case number 13-1755, based on the following facts.

1. Claimant apologize to everyone that was affected by the crime appellant committed at the United States District District Courthouse in Detroit Michigan on, December 27, 1989. Appellant committed the crime against the United States Government to try and get medical treatment.

(1)

2. On April 24, 1984 claimant was brutally assaulted by Detroit Police and sustained a traumatic brain injury and post traumatic stress. Appellant was arrested taken to jail then transferred from jail to Detroit's Medical Center, Detroit Receiving Hospital. On April 24, 1984 Detroit Receiving Hospital was owned by the City of Detroit. The City of Detroit, Detroit Receiving Hospital, and the Wayne County Probate Court have conspired and concealed the fact that appellant have suffered a traumatic brain injury and post traumatic stress for at least, thirty years.

The City of Detroit, Detroit Receiving Hospital, Wayne County Probate Court, and the State of Michigan applied the fraudulent medical diagnosis, (Paranoid schizophrenic delusional type, with a personality disorder), to cover-up the traumatic brain injury and post traumatic stress.

3. In 2000 claimant filed a Rule 60. (B) motion to vacate judgement based on newly discovered evidence. United States District Judge, George C. Steeh rendered the motion frivolous and further dismissed the motion.

4. On March 29, 2013 claimant filed another motion to vacate judgement before judge George C. Steeh, based on newly discovered evidence. Again the motion was denied and claimant appealed. A petition for rehearing en banc is pending in the Sixth Circuit Court of Appeals. See attached exhibit (A).

5. On November 27, 2013 claimant filed a complaint with the City of Detroit Police Department, Internal Affairs. Detroit Police Officers are enticing a female friend to falsify sex crime charges against claimant.
6. Pursuant to the, UNITED STATES CONSTITUTION FIRST AMENDMENT RIGHT TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES, IN CIVIL RIGHTS CASES, State law under the Emergency Managers Act, violates the United States Constitution.
7. On March 29, 2013 claimant filed a motion to vacate judgement in the civil rights case. The City of Detroit did not file an appeal relating to the motion and claimant did not know that an automatic stay was in effect before now.


DARRELL LAMAR MARSHALL, PRO SE

Exhibit (A)

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

CASE NO: 13-1755

DARRELL LAMAR MARSHALL,
Plaintiff-Appellant,

VS.

CITY OF DETROIT and WAYNE COUNTY,
Defendants-Appellees.

PETITION FOR REHEARING EN BANC

Now comes, petitioner Darrell L. Marshall and petition the entire court for rehearing, based on the following facts.

1. There are corruption, racial discrimination, and bias against individuals with disabilities in the United States District Court Eastern District of Michigan and the clerk's office of the Sixth Circuit Court of Appeals.
2. The order of United States District Judge, George C. Steeh, the Sixth Circuit Court of Appeals, and the clerk's office of the Sixth Circuit Court of Appeals ruling the **Civil Rights Complaint**

(1)

frivolous with no legal basis is an act of corruption, racial discrimination, and bias against individuals with disabilities based on the fact that appellant have submitted a preponderance of material facts that will prove, medical and legal fraud, conspiracy and violation of United States Constitutional Rights.


3. The State of Michigan and the Detroit Medical Center continue to deny and delay medical diagnosis and treatment.
4. On November 27, 2013 appellant filed a complaint with the City of Detroit Police Department, Internal Affairs. Detroit Police Officers are enticing a female friend to falsify sex charges against appellant.
5. IN THE MATTER OF: CITY OF DETROIT, CHAPTER 13 BANKRUPTCY
CASE NO: 13-53846, U.S. BANKRUPTCY JUDGE, STEVEN RHODES, appellant
request revocation of stay of proceedings in this case, Darrell L.
Marshall VS. City of Detroit and Wayne County, District Court No:
00-CV-74576, Appeals Court No; 13-1755, based on the fact that,
State laws under the Emergency Manager Act violates the United States
CONSTITUTION FIRST AMENDMENT RIGHT TO PETITION THE GOVERNMENT FOR A
REDRESS OF GRIEVANCES , IN CIVIL RIGHTS CASES, and the City of Detroit has violated the automatic stay of proceedings by attempting to frame appellant on sex crime charges.

6. Appellant apologize to everyone that was affected by the crime appellant committed at the United States District Courthouse in Detroit Michigan on, December 27, 1989. Appellant committed the crime against the United States Government to try and get medical treatment.
7. On April 24, 1984 appellant was brutally assaulted by Detroit Police and sustained a traumatic brain injury and post traumatic stress. Appellant was arrested taken to jail then transferred from jail to Detroit's Medical Center, Detroit Receiving Hospital. On April 24, 1984 Detroit Receiving Hospital was owned by the City of Detroit. The City of Detroit, Detroit Receiving Hospital, and the Wayne County Probate Court have conspired and concealed the fact that appellant have suffered a traumatic brain injury and post traumatic stress for at least, thirty years.
- The City of Detroit, Detroit Receiving Hospital, Wayne County Probate Court, and the State of Michigan applied the fraudulent medical diagnosis, (Paranoid schizophrenic delusional type), with a personality disorder to cover-up the traumatic brain injury and post traumatic stress.
8. Appellant have been in fear for my life and in fear of incarceration for the pass thirty years because of the unlawful acts committed against appellant by the defendants.


DARRELL LAMAR MARSHALL, PRO SE

CERTIFICATE OF SERVICE

I, Darrell L. Marshall certify that, on November 30, 2013 I mailed by U.S. first class mail a copy of this petition to, Governor Rick Snyder at Michigan State Capital, Lansing Michigan 48909, City of Detroit Emergency Manager, Calvin Orr, City of Detroit Law Department 2 Woodward Ave. Detroit, Michigan 48226, Attorney Aaron C. Thomas, Wayne County Corporation Counsel, 500 Griswold 11th fl. Detroit, Michigan 48226.


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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

CITY OF DETROIT

CASE NO: 13-53846

CHAPTER: 9

JUDGE: STEVEN RHODES

Debtor.

ORDER GRANTING MOTION TO/FOR REVOCATION OF AUTOMATIC STAY.

This matter having come before the Court on claimant's motion for Revocation of Automatic stay, the Court having considered the motion, and having found cause:

IT IS ORDERED that the motion is

UNITED STATES BANKRUPTCY COURT
Eastern District of Michigan

In re:

City of Detroit

Chapter: 9

Case No.: 13-53846

Judge: Steven Rhodes

Debtor(s)

Address

2 Woodward Ave.
Detroit, MI 48226

Last four digits of Social Security or
Employer's Tax Identification (EIN) No(s), (if any):

Claimant

NOTICE OF MOTION

~~Debtor~~ has filed papers with the court to Revocation of Stay
{relief sought in motion}

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to consider [relief sought in motion], or if you want the court to consider your views on the motion, within 14 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:¹

United States Bankruptcy Court

211 West Fort St.
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to [enter your name and address and name and address of others to be served]:

Claimant's address 20001 Schaefer
Detroit, MI 48235, City of Det, Wayne County

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 12/2/13

Signature

Name

Address

Darrell H. Marshall
Darrell Lamar Marshall
20001 Schaefer Hwy.
Detroit, MI 48235

¹ Response or answer must comply with F. R. Civ. P. 8(b), (c) and (e)

CERTIFICATE OF SERVICE

IN RE: CITY OF DETROIT
Debtor, _____/

CASE NO: 13-53846
CHAPTER: 9
HON. STEVEN RHODES

CLAIMANT'S CERTIFICATE OF SERVICES

CLAIMANT: DARRELL LAMAR MARSHALL
20001 SCHAEFER HWY.
DETROIT, MI. 48235

FILED (1)
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U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

Claimant, Darrell L. Marshall certify that, on December 2, 2013 I mailed by U.S. first mail a copy of this motion to, the City of Detroit Emergency Manager, Calvin Orr at, the City of Detroit Law Department 2 Woodward Ave. Detroit, Michigan 48226, Governor Rick Snyder at Michigan State Capital Lansing, Michigan 48909, and Attorney Aaron C. Thomas Wayne County Corporation counsel, 500 Griswold St. 11th Floor Detroit, Michigan 48226.


DARRELL LAMAR MARSHALL, PRO SE